

Notice of Allowability

Application No.

09/505,031

Examiner

CLEMENT B. GRAHAM

Applicant(s)

KRAEMER ET AL.

Art Unit

3692

- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to 11/21/07.
2. ☒ The allowed claim(s) is/are 1-11, 13-15, 17-20 and 46-69.
3. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some* c) ☐ None of the:
1. ☐ Certified copies of the priority documents have been received.
2. ☐ Certified copies of the priority documents have been received in Application No. _____.
3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).

* Certified copies not received: _____.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application.

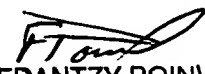
THIS THREE-MONTH PERIOD IS NOT EXTENDABLE.

4. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
5. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
- (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
- 1) ☐ hereto or 2) ☐ to Paper No./Mail Date _____.
- (b) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No./Mail Date _____.
- Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the header according to 37 CFR 1.121(d).
6. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

1. ☒ Notice of References Cited (PTO-892)
2. ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
3. ☐ Information Disclosure Statements (PTO/SB/08),
Paper No./Mail Date _____
4. ☐ Examiner's Comment Regarding Requirement for Deposit
of Biological Material

5. ☐ Notice of Informal Patent Application
6. ☐ Interview Summary (PTO-413),
Paper No./Mail Date _____
7. ☐ Examiner's Amendment/Comment
8. ☒ Examiner's Statement of Reasons for Allowance
9. ☐ Other _____


FRANTZY POINVIL
PRIMARY EXAMINER

3682

Allowable Subject Matter

Claims 1-11, 13-15, 17-20, 46-69 are allowed.

The following is a statement of reasons for indication of allowable subject matter. The prior art fails to teach, or suggest, the limitations of:

"calculating, summing, by the data processing system, a second set of sums, wherein each sum in the second set of sums comprises a total new credit card debt for all new credit cards issued to the creditor for the corresponding, different one month period, and wherein a second total number of sums in the second set of sums equals the predetermined number of months, calculating, by the data processing system, a third set of percentages, wherein each percentages in the third set of percentages comprises a monthly percentage of new credit card debt to total credit card debt for the corresponding, different one month period, the of and wherein a third total number of percentages in the third set of percentages equals the predetermined number of months, calculating, by the data processing system, an average percentage of new credit card debt to total credit card debt over the predetermined number of months; comparing, by the data processing system, the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage".

" (as in independent Claims 1, 11, 17, 46, 56, 66, 68);

Lent (US Patent : No: 6, 405, 181) discloses The parsing engine 106 parses the data into an exact format that may be used to directly access credit bureau data. The applicant is given an opportunity to view how the data submitted has been parsed and to make corrections to parsed data, if necessary. The parsing engine 106 is described in further detail in FIG. 4B. The parsed data is passed to a Validator 108. Validator 108 validates certain data entered by the applicant such as the social security number and zip code. Validation may include checking either the form of a number to ensure that the correct number of digits have been entered or checking content such as checking that the area code portion of a phone number is a valid area code or checking that a zip code matches a city. If the data is determined to be valid, then the validated data is input to an Underwriter 110. It is important to avoid sending invalid data to the Underwriter to avoid the cost of requesting credit reports that cannot be used.

Neither this Patent, alone nor in combination with others, disclose nor teach the feature of "calculating, summing, by the data processing system, a second set of sums, wherein each sum in the second set of sums comprises a total new credit card debt for all new credit cards issued to the creditor for the corresponding, different one month period, and wherein a second total number of sums in the second set of sums equals the predetermined number of months, calculating, by the data processing system, a third set of percentages, wherein each percentages in the third set of percentages comprises a monthly percentage of new credit card debt to total credit card debt for the corresponding, different one month period, the of and wherein a third total number of percentages in the third set of percentages equals the predetermined number of months, calculating, by the data processing system, an average percentage of new credit card debt to total credit card debt over the predetermined number of months; comparing, by the data processing system, the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage".

Walker (US Patent :6, 088, 686) discloses, traditionally, verification requirements are created or generated after full review of the credit application and subsequent conditional approval. In another advantageous implementation of the present invention, systematically driven verifications categories based on the amount offered and the amount accepted are detailed within the front-end process, identifying to the LBR any and all verification requirements--thus enabling fulfillment of required verifications during the initial session, provided the applicant has the information available (e.g., identification, phone, employment, income, etc.). This eliminates the standard "paper chase" between the branch and the applicant, as well as helping to ensure compliance with verification requirements and thus potentially avoiding fraud issues.

The present invention provides an expeditious manner in which consumer retail branches can provide an immediate credit evaluated response (conditional approval, upsell and/or counter-offer pending required verifications) to qualified applicant credit requests (e.g., unsecured and real estate secured), while ensuring that the financial institution's required credit policies are appropriately completed, limiting risk to the portfolio.

Neither this Patent, alone nor in combination with others, disclose nor teach the feature of "calculating, summing, by the data processing system, a second set of sums, wherein each sum in the second set of sums comprises a total new credit card debt for all new credit cards issued to the creditor for the corresponding, different one month period, and wherein a second total number of sums in the second set of sums equals the predetermined number of months, calculating, by the data processing system, a third set of percentages, wherein each percentages in the third set of percentages comprises a monthly percentage of new credit card debt to total credit card debt for the corresponding, different one month period, the of and wherein a third total number of percentages in the third set of percentages equals the predetermined number of months, calculating, by the data processing system, an average percentage of new credit card debt to total credit card debt over the predetermined number of months; comparing, by the data processing system, the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage"

Credit-card companies have come a courtin'; [1,2 Edition]

ANN PERRY. The San Diego Union - Tribune. San Diego, Calif.: Jan 30, 2000. pg. I.1)

discloses here's what prospective customers are likely to receive in the coming months: offers of cards with teaser interest rates as low as zero percent, cards with fixed rates as low as 9.9 percent, cards with built-in microchips also known as smart cards, and cards from companies looking for a "long-term relationship" with customers.

With the economy in high gear for so many years, though, more consumers are paying off their credit and using their cards for convenience or to gain air mileage rewards. Card issuers are also losing business to debit cards, which have finally caught on with the public, and to equity-line lenders, who consolidate credit card debts into one lower-interest rate loan.

Rock-bottom teaser rates: Never before, [Robert McKinley] says, has he seen those six-months teaser rates used to entice customers go as low as zero percent interest. Several companies have made the plunge, and next year, McKinley jokes, "they're going to start paying customers."

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Credit card companies want your business. They want it so badly they might even be nice to you.

"Over the last six months, we've started to see a bit of a kinder, gentler credit-card company," says Robert McKinley, chief executive officer of CardWeb.com in Frederick, Md., which tracks the industry for consumers.

Here's what prospective customers are likely to receive in the coming months: offers of cards with teaser interest rates as low as zero percent, cards with fixed rates as low as 9.9 percent, cards with built-in microchips also known as smart cards, and cards from companies looking for a "long-term relationship" with customers.

The last few years haven't been good ones for card company and consumer relations, however. After rapid growth in the late 1980s and early 1990s, card issuers saw their profit growth diminished by falling interest rates and an increasingly competitive market.

The industry made up for lost revenues by tightening payment deadlines, increasing penalty fees and imposing new fees. Not surprisingly, this prompted a consumer backlash. When some issuers made it too difficult for customers to pay on time, cardholders took to the airwaves to vent.

"When a lot of mainstream consumers who don't normally pay their bills late get hit, you stir things up," McKinley says. "They've squeezed the consumer too much."

The federal government, meanwhile, is putting the squeeze on the card industry. A year ago the Justice Department filed an anti-trust lawsuit against MasterCard and Visa, accusing them of restraining competition and limiting consumer choices.

In addition, card issuers now have to face a hard fact of life.

"The market is pretty saturated," says Chuck Paustian, editor of Card Marketing, a trade publication. "I don't see people acquiring multiple cards anymore."

McKinley agrees: "They are essentially fighting over the same customers."

Americans still rely heavily on their credit cards, and the amount they charge annually has risen from \$585 billion in 1994 to an estimated \$1.2 trillion in 1999, according to CardWeb. With the economy in high gear for so many years, though, more consumers are paying off their credit and using their cards for convenience or to gain air mileage rewards. Card issuers are also losing business to debit cards, which have finally caught on with the

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public, and to equity-line lenders, who consolidate credit card debts into one lower-interest rate loan.

Credit-card companies are responding in the following ways:

Rock-bottom teaser rates: Never before, McKinley says, has he seen those six-months teaser rates used to entice customers go as low as zero percent interest. Several companies have made the plunge, and next year, McKinley jokes, "they're going to start paying customers."

He notes that while a no-interest card "is a great deal, there are land mines around those offers." Consumers must read the fine print to learn what rate the card will have once the introductory period is over.

Cards with low fixed rates: Paustian, the editor of Card Marketing, has seen some companies offer low fixed rates of 9.9 percent. You might be able to get your own card rate lowered without have to switch companies, he says.

In this competitive environment, he says, "It's cheaper to keep a customer than acquire a new one."

If your rate is high, Paustian suggests calling your company and saying something along the lines of: "I'm tired of paying 18 percent. I'm going somewhere else." There's a pretty good chance that your card issuer will offer to lower your rate, he says.

Smart cards: We're starting to see cards, such as the new Blue Card from American Express, that have a computer chip.

The chip doesn't do much for now, Paustian says, but eventually it will be linked with partner companies. The chip can carry all the information about your relationship with a hotel chain, for example, so you'll be eligible for certain services and discounts. It's that relationship thing.

McKinley says that smart cards, which have been popular in Europe but have faced resistance from merchants in the United States, offer a variety of applications: Use it like cash, put it in a vending machine, let it be your subway token, or turn it into your hotel key.

Financial relationships: In the future, McKinley says, "the focus is going to be on relationships, not signing with new customers but cross selling." In other words, your card

company will want to give you a warm-and-fuzzy feeling, so you'll buy insurance or a mortgage from it.

Neither this Patent, alone nor in combination with others, disclose nor teach the feature of "calculating, summing, by the data processing system, a second set of sums, wherein each sum in the second set of sums comprises a total new credit card debt for all new credit cards issued to the creditor for the corresponding, different one month period, and wherein a second total number of sums in the second set of sums equals the predetermined number of months, calculating, by the data processing system, a third set of percentages, wherein each percentages in the third set of percentages comprises a monthly percentage of new credit card debt to total credit card debt for the corresponding, different one month period, the of and wherein a third total number of percentages in the third set of percentages equals the predetermined number of months, calculating, by the data processing system, an average percentage of new credit card debt to total credit card debt over the predetermined number of months; comparing, by the data processing system, the average percentage of new credit card debt to total credit card debt to a preset cutoff average percentage".

Conclusion

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Clement Graham whose telephone number is (571) 272-6795. The examiner can normally be reached on 8:30am-5:00pm M-F.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Kambiz Abdi can be reached on (571) 272-6702. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.

Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status

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information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have

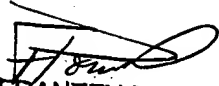
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questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free).

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Feb, 15, 2008


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